

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
CIVIL CASE NO. 3:03cv398

GREAT AMERICAN INSURANCE COMPANY,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<u>DEFAULT JUDGMENT</u>
AMERICAN FREIGHTWAY SERVICES, INC.; AMERICAN TRANSPORT, INC.;	)	
THE BRADLEY FACTOR, INC.;	)	
BUCHANAN EXPRESS, INC.; DOWNING TRUCKING, INC.; EAGLE CARRIERS,	)	
LTD.; GENERAL TRANSPORT AND CONSULTANTS, INC.; GREAT LAKES	)	
TRANSPORTATION, INC.; R.A. GUILL & SONS, INC.; INTEGRITY EXPRESS, LLC;	)	
INTERLINK; LEEWAY TRANSPORTATION, INC.; LAND TRANSPORTATION, LLC;	)	
LONGHORN TRANSPORTATION SERVICE; MECCA & TRUCKING COMPANY, INC.; MCN TRUCKING, LLC;	)	
PACKARD TRANSPORT, INC.; PAYNE, INC.; QUALITY LOGISTICS, INC.;	)	
REALTY INVESTORS, INC. d/b/a RNI TRUCKING; SOUTHEAST LOGISTICS, INC.; SOUTHWEST REFRIGERATED	)	
SERVICES, INC.; SOVEREIGN LOGISTICS, LLP; SUPER SERVICE, INC.; T&M EXPRESS, INC.; TRANSPRO CARRIER, LLC; and TRUCK SERVICE, INC.,	)	
	)	
Defendants.	)	

**THIS MATTER** is before the Court *sua sponte*.

This is an interpleader action. On August 15, 2003, the Plaintiff filed a complaint, requesting that the Court determine the rights of twenty-seven (27) defendants to the proceeds of a property broker surety bond. After receiving leave from the Court, the plaintiff deposited the proceeds of the surety bond, ten thousand dollars (\$10,000.00), with the Clerk of Court.

In the complaint, the Plaintiff named as Defendants twenty-six (26) different trucking companies, as well as the United States of America, by and through Mary E. Peters, Administrator of the Federal Highway Administration. The Court dismissed the United States as a party on November 25, 2003.

Of the Defendants remaining in this action, only three Defendants – Realty Investors, Inc., Mecca & Trucking Company, Inc., and Longhorn Transportation Service – have filed an answer or other responsive pleading to the complaint. The other Defendants have been served with the summons and complaint but have failed to answer or otherwise appear. The Clerk of Court entered default against these Defendants on October 5, 2007. The Court finds, for the reasons stated above, that default judgment is appropriate.

## **DEFAULT JUDGMENT**

**IT IS, THEREFORE, ORDERED** that a default judgment is entered against the following Defendants:

- (1) American Freightway Services, Inc.;
- (2) American Transport, Inc.
- (3) The Bradley Factor, Inc.;
- (4) Buchanan Express, Inc.;
- (5) Downing Trucking, Inc.;
- (6) Eagle Carriers, Ltd.;
- (7) General Transport and Consultants, Inc.;
- (8) Great Lakes Transportation, Inc.;
- (9) R.A. Guill & Sons, Inc.;
- (10) Integrity Express, LLC;
- (11) Interlink;
- (12) Leeway Transportation, Inc.;
- (13) Land Transportation, LLC;
- (14) MCN Trucking, LLC;
- (15) Packard Transport, Inc.;
- (16) Payne, Inc.;
- (17) Quality Logistics, Inc.;

- (18) Southeast Logistics, Inc.;
- (19) Southwest Refrigerated Services, Inc.;
- (20) Sovereign Logistics, LLP;
- (21) Super Service, Inc.;
- (22) T&M Express, Inc.;
- (23) Transpro Carrier, LLC; and
- (24) Truck Service, Inc.;

and that said named Defendants shall have and recover nothing of the interpleaded funds or of the Plaintiff by virtue of this action.

**IT IS SO ORDERED.**

Signed: November 5, 2007



Martin Reidinger  
United States District Judge

